

MEETING:	PLANNING COMMITTEE
DATE:	23 NOVEMBER 2011
TITLE OF REPORT:	<p>DMS/112232/O - SITE FOR DEVELOPMENT OF FIVE HOUSES AT PARK HALL, WORMELOW, HEREFORDSHIRE, HR2 8EQ</p> <p>For: Blasemere Ltd, Riverside House, Bridge Street, Stourport on Severn, Worcestershire, DY13 8UY</p>

Date Received: 15 August 2011

Ward: Valletts

Grid Ref: 349029,230280

Expiry Date: 10 October 2011

Local Member: Councillor J Knipe

1. Site Description and Proposal

- 1.1 The application site comprises the footprint of the former Park Hall Ballroom together with a roughly triangular area of land on the southern side of the fire damaged and derelict building. The site is approximately 0.2 hectares and extends out 30 metres on the western side. The site is screened by vegetation in and around the building and by the more imposing Wellingtonia trees that are found in the car park. These trees are an important feature of the locality as they once formed the grounds to the Grade II listed Bryngwyn Manor to the west of the application site. The trees are the subject of a group Tree Preservation Order (TPO 006/A1). The site also comprises part of an unregistered park and garden.
- 1.2 Access to this site is across a surfaced car park. It leads off the western side of the A466 road opposite Wormelow Garage. This radiused access point and car park /driveway is in the ownership of the applicant. There is unrestricted visibility northwards from the junction onto the A466 road. This view includes the junction of the B4348 road and the A466 road, 35 metres to the north. The visibility to the south is partially restricted by an existing stone boundary wall in the applicant's ownership. The access to the site also serves three dwellings either side of the access on to the A466 road between the application site and the highway. There are four other dwellings as well as a furniture store (Simply Stunning) served by the access and utilising land immediately to the south of the application site.
- 1.3 A public footpath MD13 crosses the car park close to the south eastern corner of the site.
- 1.4 This site is within the parish of Much Dewchuch and is located on the western edge of Wormelow. Wormelow is not an identified settlement within the Unitary Development Plan but it does benefit from the services provided by a shop/Post Office and public house and there is also a bus route linking it with Hereford and Monmouth.
- 1.5 This is an outline application with all matters reserved. A recently submitted application (DMS/101838/O) was withdrawn. This was primarily on the basis that further details were required in relation to the biodiversity of the site and a tree survey was required.

2. Policies

2.1 Government Guidance

- PPS1 - Delivering Sustainable Development
- PPS3 - Housing
- PPS13 - Transport

2.2 Herefordshire Unitary Development Plan

- S1 - Sustainable Development
- S2 - Development Requirements
- S3 - Housing
- DR2 - Land Use and Activity
- DR3 - Movement
- DR5 - Planning Obligations
- DR10 - Contaminated land
- H4 - Main Villages: Settlement Boundaries
- H13 - Sustainable Residential Design
- H14 - Re-using Previously Developed Land and Buildings
- T8 - Road hierarchy
- LA4 - Protection of Historic Parks and Gardens
- LA5 - Protection of Trees, Woodlands and Hedgerows
- NC1 - Biodiversity and Development
- NC8 - Habitat Creation, Restoration and Enhancement
- NC9 - Management of Features of the Landscape Important for Flora and Fauna

3. Planning History

- 3.1 DMS/101838/O Site for development of 5 houses. Withdrawn 8 November 2010.
- 3.2 SW2000/2520/F Change of use of ballroom and function rooms to light industry. Approved 29 December 2000.

4. Consultation Summary

Statutory Consultees

- 4.1 Welsh Water: No objection subject to standard conditions

Internal Council Advice

- 4.2 Traffic Manager: Raises concerns about visibility to right. Ideally speed survey should be undertaken and the wall reduced in height to 600mm.
- 4.3 Landscape Manager: It is noted that the site comprises part of the Unregistered Park and Garden. There is also a group Tree Preservation Order protecting trees in this historic setting. There are no landscape objections. The only query is the potential impact of erecting 5 dwellings on the site having regard to the satisfactory protection of important trees. The properties should be detached with private gardens. A landscaping scheme should be submitted.
- 4.4 Public Rights of Way Manager: No objections raised. Should ensure future residents have lawful authority to cross line of footpath (MD13) The footpath should retain its historic width and not be obstructed or encroached upon.

- 4.5 Ecologist: No objection but seeking habitat enhancement of the site acknowledging that this may difficult to achieve depending on land available
- 4.6 Environmental Health & Trading Standards Manager: Conditions recommended controlling hours of working and for a desk study of possible contamination given stated former industrial use of the site.

5. Representations

- 5.1 Much Dewchurch Parish Council make the following observations:

Much Dewchurch Parish Council would be pleased to see an end to the eyesore on the site of this proposed development but hoped that there would be some starter dwellings included.

- 5.2 The full text of these letters can be inspected at Hereford Customer Services, Franklin House, 4 Commercial Road, Hereford, HR1 2BB and prior to the Committee meeting.

6. Officer's Appraisal

- 6.1 The key issues for consideration in the determination of this outline application are as follows:-

- (a) the principle of residential development
- (b) the impact of the development upon the character of the locality
- (c) the impact upon residential amenity
- (d) highway safety
- (e) biodiversity
- (f) contamination
- (g) Section 106 requirements

Principle of Residential Development

- 6.2 The application site is outside the settlement boundary of Much Dewchurch, the nearest identified settlement and for the purposes of planning policy lies within open countryside. Accordingly having regard to Policy H7, residential development would need to be justified as an exception in order to accord with policy. In this case the proposal does not meet any of the identified exception criteria and in this respect is contrary to policy. However it is necessary also to consider whether there are any material considerations that would warrant a departure from policy.
- 6.3 It is clear from the response of the Parish Council that the long established untidy condition of the site and its commercial use for amongst other things overnight lorry parking has an adverse effect on what is otherwise a predominantly residential environment within a potentially attractive setting. Furthermore, whilst Wormelow is not an identified settlement, the application site is well related to public transport facilities, local schools at Much Birch and Much Dewchurch, the shop, post office and public house.
- 6.4 In this context it is considered that despite the open countryside location, the site is regarded as a generally sustainable one that would have the potential to enhance the site and its environs as well as better respect the character of this part of Wormelow. Accordingly, it is considered that this particular proposal is worthy of consideration as a departure from policy.

Impact on character and appearance

- 6.5 The character of the site and its environs is derived in particular from the Wellingtonia trees and other species of evergreen and deciduous trees. These established trees provide a visual

screen to the hardstanding area that provided the car park for the now derelict ballroom. This wide area also provides the driveway to the furniture store and dwellings on the southern side of the car park and further to the west. These dwellings are mostly late twentieth century one. I consider that it will be possible to erect dwellings on and closely associated with the footprint of the derelict ballroom. This would entail the removal of brambles and overgrown vegetation, but would also necessitate ensuring that the siting of any new dwellings should be sufficiently distant from the Wellingtonias around the eastern end of the building. This requirement is assisted by the fact that at least 3 protected trees are outside the application site. No indicative plan was submitted and therefore it is not possible to fully consider the practicalities of erecting up to 5 dwellings on the site but it is considered that these dwellings would need to be detached and modest in footprint given the proximity of protected trees on the eastern end of the application site.

- 6.6 A condition would be required in the event that the application was supported that protected those trees not covered by the 1955 Tree Preservation Order. Therefore, subject to conditions controlling and protecting trees and hedging affected by the development, it is considered that development of the site can preserve the important landscape features of the site in accordance with Policies LA4 and LA5 of Unitary Development Plan.

Impact on Residential Amenity

- 6.7 The development of this site would not impact upon the amenity of residential properties in the vicinity of the site. This is given that there will be no opportunities for overlooking or for building dwellings that would immediately adjoin existing residential curtilages. The main change will be a modest increase of traffic from the site but when assessed with regard to the approved light industrial use of the site, it is not considered that this would be harmful. Therefore, this proposal satisfies the requirements of Policy DR2 of the Unitary Development Plan

Highway Safety and Means of Access

- 6.8 This proposal will result in a change in the use of the existing access point onto the A466. There is more than sufficient width of driveway for vehicles joining and leaving the access point. The main issue is considered to relate to the visibility obtainable at the access point. The visibility to the north is very good, however in a southerly direction visibility is currently restricted. This can be addressed by the reduction in the height of a wall on the southern side of the access, which is in the applicant's control. This would improve visibility for vehicles turning right (south) and is a factor in support of the application since it will also improve the situation for existing users of the access. Therefore, it is considered that this matter can be addressed by planning condition and would satisfy the concerns of the Traffic Manager. The improvements will provide a safe means of access as required by Policies DR3 and T8 of the Unitary Development Plan.

Biodiversity

- 6.9 The Council's Ecologist had previously requested that an ecological survey be undertaken given the extensive vegetation that has grown up and around the derelict ballroom. It is considered that the application can be supported subject to conditions requiring enhancement of the site for the ecological purposes. The Ecologist is uncertain about the extent of improvements to biodiversity achievable given that the application was not accompanied by an indicative plan. It is though considered that the protection of existing trees and those not protected with the group TPO would provide enhancement of biodiversity into the future. Therefore, it is considered that the application accords with the requirements of Policies NC1, NC8 and NC9 of the Unitary Development Plan

Contamination

Further information on the subject of this report is available from Andrew Prior on 01432 261932

- 6.10 This site has been used for industrial purposes which has resulted in the Environmental Health and Trading standards Manager recommending the imposition of a condition. It is considered that given the limited duration of the light industrial use, planning approval was only granted 11 years ago and the fact there is an extensive tarmac apron on the southern side of the building, a condition as recommended is reasonable and necessary.

Section 106 requirements

- 6.11 The applicant has opted out of making contributions as normally required for housing schemes as set out in Policy DR5 and the Planning Obligations SPD. This would though be dependent upon the submission of detailed plans within 1 year and the commencement of works within a further year in order to satisfy the terms of the current suspension.

7. Conclusion

- 7.1 The proposal does not accord with policy since it does not fall within a settlement boundary nor does it adjoin an identified settlement in the UDP. It is though one that relates to a previously developed site that detracts from the amenity of the distinctive unregistered park and garden associated with Bryngwyn Manor. The applicant has previously used the site for light industrial purposes which is not considered to be entirely compatible with the residential character of the locality. It is considered that a residential development that respects the limitations imposed on it by protected trees and those identified in the tree survey accompanying the application would be capable of not only removing an eyesore, but would also enhancing the landscape and biodiversity around the site and provide improvements to the existing access onto the A466 road. The Parish Council have stated that they would welcome small affordable homes. However this application relates to open market development. However in view of the constrained nature of the site, it is considered that the size of the dwelling will be limited and therefore potentially making them more affordable. Having regard to the particular circumstances of this site, it is considered that this approach is acceptable and on balance the application is supported.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. A01 Time limit for commencement (full permission)**
- 2. A02 Time limit for submission of reserved matters (outline permission)**
- 3. A04 Approval of reserved matters**
- 4. A05 Plans and particulars of reserved matters**
- 5. H04 Visibility over frontage**
- 6. G02 Retention of trees and hedgerows**
- 7. G04 Protection of trees/hedgerows that are to be retained**
- 8. G07 Protection of trees covered by a Tree Preservation Order**
- 9. G11 Landscaping scheme - implementation**
- 10. G14 Landscape management plan**

- 11. **K4 Nature Conservation - Implementation**
- 12. **L01 Foul/surface water drainage**
- 13. **L02 No surface water to connect to public system**
- 14. **L03 No drainage run-off to public system**

Informatives:

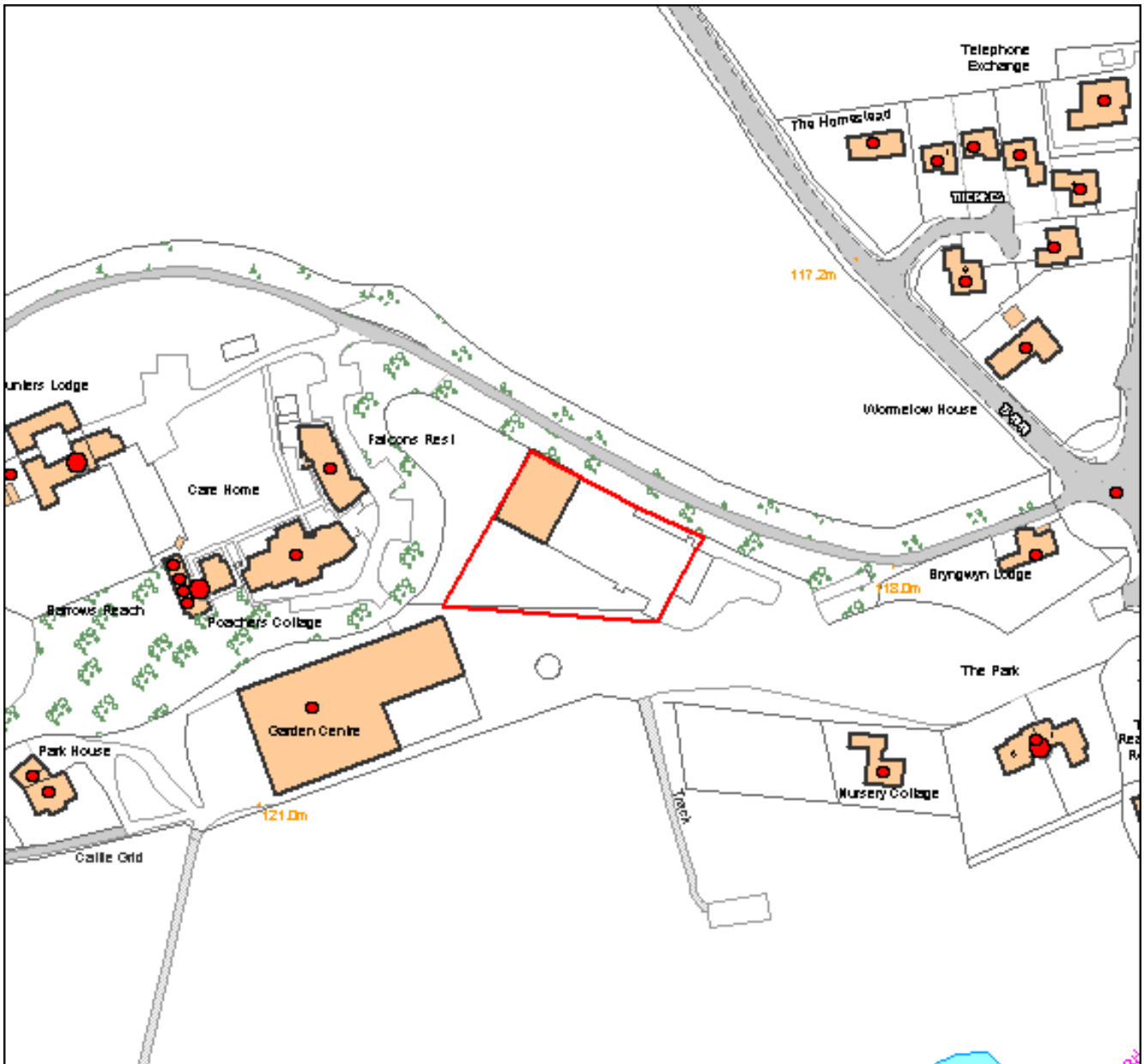
- 1. **HN24 Drainage other than via highway system**
- 2. **HN08 Section 38 Agreement & Drainage details**
- 3. **N15 Reason(s) for the Grant of PP/LBC/CAC**

Decision:

Notes:
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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: DMS/112232/O

SITE ADDRESS : PARK HALL, WORMELOW, HEREFORDSHIRE, HR2 8EQ

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Further information on the subject of this report is available from Andrew Prior on 01432 261932